

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

10-12015

In Re:	)	
	)	
<b>James Michael Oxendine</b>	)	<b>NOTICE TO CREDITORS</b>
<b>Rachel Elizabeth Oxendine</b>	)	<b>AND</b>
	)	<b>PROPOSED PLAN</b>
SS# <u>xxx-xx-2304</u>	)	
SS# <u>xxx-xx-9606</u>	)	Case No. _____
Debtor(s)	)	

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on November 3, 2010 .

**THE FILING AUTOMATICALLY STAYS COLLECTION AND OTHER ACTIONS AGAINST THE DEBTOR(S), DEBTOR(S)' PROPERTY AND CERTAIN CO-DEBTORS. IF YOU ATTEMPT TO COLLECT A DEBT OR TAKE OTHER ACTION IN VIOLATION OF THE BANKRUPTCY STAY, YOU MAY BE PENALIZED.**

**OFFICIAL NOTICE WILL BE SENT TO CREDITORS GIVING THE NAME AND ADDRESS OF THE TRUSTEE, THE DATE AND TIME OF THE MEETING OF CREDITORS, AND THE DEADLINE FOR OBJECTING TO THE PLAN.**

**A CREDITOR MUST TIMELY FILE A PROOF OF CLAIM WITH THE TRUSTEE IN ORDER TO RECEIVE DISTRIBUTIONS UNDER THE PLAN.**

The Debtor(s) propose an initial plan, which is subject to modification, as follows:

1. Payments to the Trustee: The Debtor(s) propose to pay from future earnings his/her/their disposable income to the Trustee for a period of 36 consecutive months by means of monthly payments of \$1,148.58 , for distribution to creditors after payment of costs of administration.

2. Payments made directly to creditors: The Debtor(s) propose to make regular monthly payments directly to the following creditors:

<u>Creditor</u>	<u>Collateral and Valuation</u>
(A) <u>-NONE-</u>	

3. Disbursements by the Trustee: The Debtor proposes that the Trustee make the following distributions to creditors after payment of costs of administration as follows:

(A) The following priority claims shall be paid in full by means of deferred payment:

<u>Internal Revenue Service</u>
<u>NC Department of Revenue</u>
<u>Richmond County Property Tax</u>
<u>Richmond County Vehicle Tax</u>

(B) The following secured creditors shall receive their regular monthly payment:

<u>Creditor</u>	<u>Collateral and Value</u>	<u>Monthly Payment</u>
<b>Lease and Rental</b>	<b>2003 Jeep Liberty Market Value= \$9,186.00</b>	<b>\$234.72</b>
<b>Walter Mortgage Company</b>	<b>Residence located at 178 Mercer Street in Marston, NC 28363 Market Value= \$95,000.00</b>	<b>\$599.14</b>

(C) The following creditors have partially secured and partially unsecured claims and shall have their regular payment modified under the proposed plan:

<u>Creditor</u>	<u>Collateral and Value</u>	<u>Monthly Payment As Modified</u>
<b>-NONE-</b>		

(D) The following co-signed claims shall be paid in full by monthly payments:

-NONE-

(E) The following secured creditors shall be paid on their arrearage claims by means of monthly payments:

<u>Creditor</u>	<u>Collateral</u>	<u>Monthly Arrearage Payment</u>
<b>Lease and Rental</b>	<b>2003 Jeep Liberty</b>	<b>\$52.57</b>

Creditor**Walter Mortgage Company**Collateral**Residence located at 178 Mercer Street in  
Marston, NC 28363**Monthly Arrearage Payment**\$128.39**

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(F) After payment of allowed cost of administration, priority and secured claims, the balance of the funds paid to the Trustee shall be paid to allowed general unsecured claims. The exact amount available for unsecured creditors cannot be determined until all claims are filed and allowed, however, at this time it is anticipated that the return to unsecured creditors will be not less than 0 % and is estimated to be 0 %.

4. Property to be surrendered: The following property will be returned to the secured creditor:

Creditor**-NONE-**Collateral

(name of creditor and description of property)

5. The Debtor(s) has the following executory contracts and/or leases which will be assumed or rejected as herein indicated:

Contract\Lease Party**-NONE-**Description of Contract or LeaseAssume or Reject?

6. Other proposed provisions are as follows:

Date: November 3, 2010/s/ Brett Smith Yauger**Brett Smith Yauger**

Attorney for the Debtor

Address: **107 Monroe St  
PO Box 39  
Carthage, NC 28327**

Telephone: **910-947-2280**State Bar No. **22842**

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

10-12015

In Re:

**James Michael Oxendine  
Rachel Elizabeth Oxendine**

SS# xxx-xx-2304SS# xxx-xx-9606

Debtor(s)

**NOTICE TO CREDITORS  
AND  
PROPOSED PLAN**

Case No. \_\_\_\_\_

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

**William L. Schwenn  
Clerk of Court  
U.S. Bankruptcy Court  
Middle District of North Carolina  
P.O. Box 26100  
Greensboro, NC 27402**

**Richard M. Hutson, II  
Chapter 13 Trustee  
Durham Division  
Post Office Box 3613  
Durham, NC 27702-3613**

**Absolute Collect Svc  
421 Fayetteville St Mall  
Raleigh, NC 27601**

**Afni, Inc.  
Po Box 3427  
Bloomington, IL 61702**

**Alltel  
P.O. Box 9001905  
Louisville, KY 40290**

**Badcock**

**Blair Corporation  
220 Hickory St  
Warren, PA 16366**

**Cap One  
Po Box 85520  
Richmond, VA 23285**

**Carolina Behavior Care  
P.O. Box 1630  
Pinehurst, NC 28370**

**Cbusasears  
133200 Smith Rd  
Cleveland, OH 44130**

**Certified Recovery Sys  
6161 Savoy Dr Ste 600  
Houston, TX 77036**

**Citi Auto  
2208 Highway 121 Ste 100  
Bedford, TX 76021**

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Credit Financial Servi  
3800 Guess Rd  
Durham, NC 27705

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3800 Guess Rd  
Durham, NC 27705

Er Solutions  
800 Sw 39th St  
Renton, WA 98057

First Collection Services  
10925 Otter Creek E Blvd  
Mabelvale, AR 72103

First Health of the Carolinas  
Moore County Hospital  
P.O. Box 580484  
Charlotte, NC 28258-0484

First Premier Bank  
601 S Minnesota Ave  
Sioux Falls, SD 57104

Fort Sill National Ban  
511 Sw A Ave  
Lawton, OK 73501

Franklin Collection Sv  
2978 W Jackson St  
Tupelo, MS 38801

Fst Premier  
3820 N Louise Ave  
Sioux Falls, SD 57107

George Brown Associa  
2200 Crown Post Executive Dr  
Charlotte, NC 28227

Internal Revenue Service  
PO Box 21126  
Philadelphia, PA 19114

Lease and Rental  
45 Haverhill Street  
Andover, MA 01810

Nation Wide Credit  
P.O. Box 26314  
Lehigh Valley, PA 18002

National  
5700 Crooks Rd Ste 301  
Troy, MI 48098

NC Department of Revenue  
P.O. Box 25000  
Raleigh, NC 27640-0640

Ncstateemp  
Raleigh, NC 27611

Pinehurst Surgical  
P.O. Box 2000  
Pinehurst, NC 28374-2000

Regional

Regional Acceptance Co  
4230 S Market St  
Wilmington, NC 28403

Richmond County Property Tax  
P.O. Box 1070

Charlotte, NC 28201

Richmond County Property Tax  
P.O. Box 1070  
Charlotte, NC 28201

Richmond County Vehicle Tax  
P.O. Box 1644  
Rockingham, NC 28380

Scotland Memorial Hospital  
P.O. Box 1847  
Laurinburg, NC 28353

Southern

Stern & Associates  
415 N Edgeworth St Ste 2  
Greensboro, NC 27401

The Collection Firm  
P.O. Box 3910  
Tupelo, MS 38803

Walter Mortgage Company  
P.O. Box 31601  
Tampa, FL 33607

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Date: November 3, 2010

/s/ Brett Smith Yauger  
Brett Smith Yauger